

# **FISCAL NOTE**

## **HB 2734 - SB 2904**

March 21, 2004

**SUMMARY OF BILL:** Makes first and subsequent offense of public indecency or indecent exposure punishable as a Class E felony if the perpetrator was a sexual offender required to register with the Tennessee Bureau Investigation under state law. Currently, public indecency is punished as a Class B misdemeanors by fine only up to \$500 for first or second offenses. A third offense is punished as a Class A misdemeanor. Indecent exposure is currently a Class B misdemeanor, unless the perpetrator is age 18 years or more and the victim is under 13, then the offense is punished as a Class A misdemeanor. A third or subsequent indecent exposure offense is a Class E felony if the perpetrator is age 18 years or more and the victim is under 13 years of age.

### **ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures - \$10,000/Incarceration\***  
**Decrease Local Govt. Expenditures - Not Significant**  
**Decrease Local Govt. Revenues - Not Significant**

Estimate assumes two additional Class E felony convictions elevated from Class B or Class A misdemeanor offenses for public indecency or indecent exposure.

*\*Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



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James W. White, Executive Director